

p 517-346-6300

p 800-968-1442

f 517-482-6248

www.michbar.org

306 Townsend Street
Michael Franck Building
Lansing, MI
48933-2012

To: Sen. John Gleason
Sen. Mike Nofs
Sen. Rick Jones, Chair, Senate Judiciary Committee
Sen. Tonya Schuitmaker, Vice-Chair, Senate Judiciary Committee
Sen. Tory Rocca, Member, Senate Judiciary Committee
Sen. Steve Bieda, Minority Vice-Chair, Senate Judiciary Committee

From: Elizabeth K. Lyon, Director of Governmental Relations

Date: May 31, 2011

Re: SB 387 (Gleason) & SB 388 (Nofs) Fleeing & Eluding: Mandatory Term
Senate Judiciary Committee Hearing

The State Bar of Michigan has a long and consistent record of opposing mandatory minimum sentences. Mandatory minimum sentences take away the discretion of a judge and the input of a prosecutor and defense attorney in the evaluation of each case. Each individual case is subject to intense scrutiny and the ability to determine the appropriate sentence within the guidelines should not be diminished, recognizing that a judge may depart from guidelines based the uniqueness of case if done so on the record.

The State Bar of Michigan's position does not reflect upon the crime itself or the appropriate sentencing guidelines for the crime. The State Bar of Michigan does not have a position, nor can it adopt one according to its governing documents, on either the definition of the crime or the appropriate sentencing guidelines.